

**Senate File 452 - Introduced**

SENATE FILE 452

BY COMMITTEE ON APPROPRIATIONS

**A BILL FOR**

1 An Act relating to state and local finances by making  
2 appropriations, providing for fees, providing for legal  
3 responsibilities, providing for certain employee benefits,  
4 and providing for properly related matters, and including  
5 effective date and retroactive and other applicability  
6 provisions.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

STANDING APPROPRIATIONS AND RELATED MATTERS

Section 1. BUDGET PROCESS FOR FISCAL YEAR 2014-2015.

1. For the budget process applicable to the fiscal year beginning July 1, 2014, on or before October 1, 2013, in lieu of the information specified in section 8.23, subsection 1, unnumbered paragraph 1, and paragraph "a", all departments and establishments of the government shall transmit to the director of the department of management, on blanks to be furnished by the director, estimates of their expenditure requirements, including every proposed expenditure, for the ensuing fiscal year, together with supporting data and explanations as called for by the director of the department of management after consultation with the legislative services agency.

2. The estimates of expenditure requirements shall be in a form specified by the director of the department of management, and the expenditure requirements shall include all proposed expenditures and shall be prioritized by program or the results to be achieved. The estimates shall be accompanied by performance measures for evaluating the effectiveness of the programs or results.

Sec. 2. LIMITATIONS OF STANDING APPROPRIATIONS — FY 2013-2014. Notwithstanding the standing appropriations in the following designated sections for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the amounts appropriated from the general fund of the state pursuant to these sections for the following designated purposes shall not exceed the following amounts:

- 1. For payment for nonpublic school transportation under section 285.2:
  - ..... \$ 8,560,931
- 2. For the enforcement of chapter 453D relating to tobacco product manufacturers under section 453D.8:
  - ..... \$ 18,416

Sec. 3. LIMITATIONS OF STANDING APPROPRIATIONS — FY

1 2014-2015. Notwithstanding the standing appropriations  
2 in the following designated sections for the fiscal year  
3 beginning July 1, 2014, and ending June 30, 2015, the amounts  
4 appropriated from the general fund of the state pursuant to  
5 these sections for the following designated purposes shall not  
6 exceed the following amounts:

7 1. For operational support grants and community cultural  
8 grants under section 99F.11, subsection 3, paragraph "d",  
9 subparagraph (1):

10 ..... \$ 260,000

11 2. For regional tourism marketing under section 99F.11,  
12 subsection 3, paragraph "d", subparagraph (2):

13 ..... \$ 582,000

14 3. For programs for at-risk children under section 279.51:

15 ..... \$ 6,303,095

16 4. For payment for nonpublic school transportation under  
17 section 285.2:

18 ..... \$ 8,560,931

19 5. For the enforcement of chapter 453D relating to tobacco  
20 product manufacturers under section 453D.8:

21 ..... \$ 9,208

22 Sec. 4. INSTRUCTIONAL SUPPORT STATE AID — FY 2013-2014  
23 — FY 2014-2015. In lieu of the appropriation provided in  
24 section 257.20, subsection 2, the appropriation for the fiscal  
25 years beginning July 1, 2013, and July 1, 2014, for paying  
26 instructional support state aid under section 257.20 for fiscal  
27 years 2013-2014 and 2014-2015 is zero.

28 Sec. 5. Section 8.8, Code 2013, is amended to read as  
29 follows:

30 **8.8 Special olympics fund — appropriation.**

31 A special olympics fund is created in the office of the  
32 treasurer of state under the control of the department of  
33 management. There is appropriated annually from the general  
34 fund of the state to the special olympics fund fifty one  
35 hundred thousand dollars for distribution to one or more

1 organizations which administer special olympics programs  
2 benefiting the citizens of Iowa with disabilities.

3 DIVISION II

4 MISCELLANEOUS PROVISIONS AND APPROPRIATIONS

5 Sec. 6. INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAM. There is  
6 appropriated from the general fund of the state to the credit  
7 union division of the department of commerce for the fiscal  
8 year beginning July 1, 2013, and ending June 30, 2014, the  
9 following amounts, or so much thereof as is necessary, for the  
10 purposes designated:

11 For costs associated with the individual development account  
12 program:

13 ..... \$ 250,000

14 Sec. 7. RENEWABLE ENERGY TRAINING AND EDUCATION. There  
15 is appropriated from the general fund of the state to the  
16 department of workforce development for the following fiscal  
17 years, the following amounts, or so much thereof as is  
18 necessary, to distribute for a public purpose to an entity  
19 with a mission of educating workers and the public in the  
20 various aspects of renewable energy, its usage, and related  
21 occupational opportunities:

22 1. FY 2013-2014  
23 ..... \$ 150,000

24 2. FY 2014-2015  
25 ..... \$ 150,000

26 Sec. 8. PUBLIC TRANSIT. There is appropriated from the  
27 general fund of the state to the department of transportation,  
28 for the fiscal year beginning July 1, 2012, and ending June 30,  
29 2013, the following amount, or so much thereof as is necessary,  
30 for the purposes designated:

31 For distribution to the public transit systems in the state  
32 for vehicle purchasing priorities:  
33 ..... \$ 5,000,000

34 For purposes of section 8.33, unencumbered or unobligated  
35 moneys from the moneys appropriated in this section shall

1 not revert at the close of the fiscal year but shall remain  
2 available for expenditure for the purposes designated until the  
3 close of the fiscal year that ends two years after the end of  
4 the fiscal year for which the appropriation was made.

5 Sec. 9. AIR TRAFFIC CONTROL TOWER. There is appropriated  
6 from the general fund of the state to the department of  
7 transportation, for the fiscal year beginning July 1, 2013, and  
8 ending June 30, 2014, the following amount, or so much thereof  
9 as is necessary, for the purposes designated:

10 For the public purpose of defraying costs associated with  
11 the operation of a contract air traffic control tower which  
12 holds an air agency certificate:

13 ..... \$ 150,000

14 Moneys appropriated by this section shall be distributed  
15 on a local match basis to the largest city in a county with a  
16 population of more than 92,000 and less than 95,000.

17 Sec. 10. POPULATION OF CITIES — 2010-2020.

18 Notwithstanding any provision of sections 4.1 and 9F.6 to the  
19 contrary, for the period beginning April 1, 2010, and ending  
20 March 31, 2020, whenever the population of any city is referred  
21 to in any law of this state, it shall be determined by the  
22 greater of the population of the city as of the last preceding  
23 certified federal census or as of the April 1, 2010, population  
24 estimates base as determined by the United States census  
25 bureau, unless otherwise provided.

26 Sec. 11. Section 91C.7, subsection 1, Code 2013, is amended  
27 to read as follows:

28 1. A contractor who is not registered with the labor  
29 commissioner as required by this chapter shall not be awarded  
30 a contract to perform work for the state ~~or~~, an agency of the  
31 state, or a political subdivision of the state.

32 Sec. 12. Section 99F.11, subsection 3, paragraph d,  
33 subparagraph (3), Code 2013, is amended by striking the  
34 subparagraph and inserting in lieu thereof the following:

35 (3) One-half of the moneys remaining after the

1 appropriation in subparagraph (1) is appropriated to the  
2 community development division of the economic development  
3 authority for distribution equally to the three state tourism  
4 regions to develop public-private partnerships to market local  
5 attractions.

6 Sec. 13. Section 144.26, Code 2013, is amended by adding the  
7 following new subsection:

8 NEW SUBSECTION. 5. Upon the activation of an electronic  
9 death record system, each person with a duty related to death  
10 certificates shall participate in the electronic death record  
11 system. A person with a duty related to a death certificate  
12 includes but is not limited to a physician as defined in  
13 section 135.1, a physician assistant, an advanced registered  
14 nurse practitioner, a funeral director, and a county recorder.

15 Sec. 14. Section 261.93, subsection 2, paragraph b,  
16 subparagraph (4), Code 2013, is amended to read as follows:

17 (4) Is the child of a fire fighter or police officer  
18 included under section 97B.49B, who was killed in the line of  
19 duty as determined by the Iowa public employees' retirement  
20 system in accordance with section 97B.52, subsection 2.

21 Sec. 15. CONDITIONAL EFFECTIVE DATE. The section of this  
22 division of this Act amending section 99F.11, takes effect only  
23 if 2013 Iowa Acts, Senate File 300 is enacted.

24 Sec. 16. EFFECTIVE UPON ENACTMENT. The following provision  
25 or provisions of this division of this Act, being deemed of  
26 immediate importance, take effect upon enactment:

27 1. The section of this Act appropriating moneys to the  
28 department of transportation for public transit purposes.

29 DIVISION III

30 CORRECTIVE PROVISIONS

31 Sec. 17. Section 2.12, unnumbered paragraph 4, Code 2013,  
32 as amended by 2013 Iowa Acts, House File 185, section 1, is  
33 amended to read as follows:

34 There is appropriated out of any funds in the state treasury  
35 not otherwise appropriated such sums as may be necessary for

1 the fiscal year budgets of the legislative services agency  
2 and the ~~ombudsman~~ office of ombudsman for salaries, support,  
3 maintenance, and miscellaneous purposes to carry out their  
4 statutory responsibilities. The legislative services agency  
5 and the ~~ombudsman~~ office of ombudsman shall submit their  
6 proposed budgets to the legislative council not later than  
7 September 1 of each year. The legislative council shall review  
8 and approve the proposed budgets not later than December 1 of  
9 each year. The budget approved by the legislative council for  
10 each of its statutory legislative agencies shall be transmitted  
11 by the legislative council to the department of management on  
12 or before December 1 of each year for the fiscal year beginning  
13 July 1 of the following year. The department of management  
14 shall submit the approved budgets received from the legislative  
15 council to the governor for inclusion in the governor's  
16 proposed budget for the succeeding fiscal year. The approved  
17 budgets shall also be submitted to the chairpersons of the  
18 committees on appropriations. The committees on appropriations  
19 may allocate from the funds appropriated by this section  
20 the funds contained in the approved budgets, or such other  
21 amounts as specified, pursuant to a concurrent resolution to be  
22 approved by both houses of the general assembly. The director  
23 of the department of administrative services shall issue  
24 warrants for salaries, support, maintenance, and miscellaneous  
25 purposes upon requisition by the administrative head of each  
26 statutory legislative agency. If the legislative council  
27 elects to change the approved budget for a legislative agency  
28 prior to July 1, the legislative council shall transmit the  
29 amount of the budget revision to the department of management  
30 prior to July 1 of the fiscal year, however, if the general  
31 assembly approved the budget it cannot be changed except  
32 pursuant to a concurrent resolution approved by the general  
33 assembly.

34 Sec. 18. Section 2.42, subsection 14, Code 2013, as amended  
35 by 2013 Iowa Acts, House File 185, section 2, is amended to

1 read as follows:

2 14. To hear and act upon appeals of aggrieved employees of  
3 the legislative services agency and the office of ~~the~~ ombudsman  
4 pursuant to rules of procedure established by the council.

5 Sec. 19. Section 2C.3, subsection 2, Code 2013, as enacted  
6 by 2013 Iowa Acts, House File 185, section 4, is amended to  
7 read as follows:

8 2. The ombudsman shall employ and supervise all employees  
9 under the ombudsman's direction in such positions and at such  
10 salaries as shall be authorized by the legislative council.  
11 The legislative council shall hear and act upon appeals of  
12 aggrieved employees of the office of ~~the~~ ombudsman.

13 Sec. 20. Section 2C.9, subsection 6, Code 2013, as amended  
14 by 2013 Iowa Acts, House File 185, section 10, is amended to  
15 read as follows:

16 6. Establish rules relating to the operation, organization,  
17 and procedure of the office of ~~the~~ ombudsman. The rules are  
18 exempt from chapter 17A and shall be published in the Iowa  
19 administrative code.

20 Sec. 21. Section 2C.11, subsection 1, unnumbered paragraph  
21 1, Code 2013, as amended by 2013 Iowa Acts, House File 185,  
22 section 12, is amended to read as follows:

23 An appropriate subject for investigation by the office of  
24 ~~the~~ ombudsman is an administrative action that might be:

25 Sec. 22. Section 2C.18, Code 2013, as amended by 2013  
26 Iowa Acts, House File 185, section 20, is amended to read as  
27 follows:

28 **2C.18 Report to general assembly.**

29 The ombudsman shall by April 1 of each year submit an  
30 economically designed and reproduced report to the general  
31 assembly and to the governor concerning the exercise of the  
32 ~~ombudsman~~ ombudsman's functions during the preceding calendar  
33 year. In discussing matters with which the ombudsman has been  
34 concerned, the ombudsman shall not identify specific persons  
35 if to do so would cause needless hardship. If the annual

1 report criticizes a named agency or official, it shall also  
2 include unedited replies made by the agency or official to the  
3 criticism, unless excused by the agency or official affected.

4 Sec. 23. Section 8B.21, subsection 5, paragraph e, if  
5 enacted by 2013 Iowa Acts, Senate File 396, section 3, is  
6 amended to read as follows:

7 e. The department of public defense shall not be required  
8 to obtain any information technology services pursuant to  
9 this chapter for the department of public defense that ~~is~~ are  
10 provided by the office pursuant to this chapter without the  
11 consent of the adjutant general.

12 Sec. 24. Section 23A.4, subsection 3, Code 2013, as enacted  
13 by 2013 Iowa Acts, House File 185, section 27, is amended to  
14 read as follows:

15 3. Chapter 17A and this section are the exclusive remedy  
16 for violations of this chapter. However, the office of ~~the~~  
17 ombudsman may review violations of this chapter and make  
18 recommendations as provided in chapter 2C.

19 Sec. 25. Section 29.1, Code 2013, as amended by 2013 Iowa  
20 Acts, House File 307, section 9, is amended to read as follows:

21 **29.1 Department of public defense.**

22 The department of public defense is composed of the office  
23 of the adjutant general and the military forces of the  
24 state of Iowa. The adjutant general is the director of the  
25 department of public defense and shall perform all functions,  
26 responsibilities, powers, and duties ~~over~~ concerning the  
27 military forces of the state of Iowa as provided in the laws of  
28 the state.

29 Sec. 26. Section 35A.13, subsection 6A, paragraph b,  
30 subparagraph (1), if enacted by 2013 Iowa Acts, House File 613,  
31 section 2, is amended to read as follows:

32 (1) The commission may provide educational assistance funds  
33 to any child who has lived in the state of Iowa for two years  
34 preceding application for state educational assistance, and who  
35 is the child of a person who died prior to September 11, 2001,

1 during active federal military service while serving in the  
2 armed forces or during active federal military service in the  
3 Iowa national guard or other military component of the United  
4 States, to defray the expenses of tuition, matriculation,  
5 laboratory and similar fees, books and supplies, board,  
6 lodging, and any other reasonably necessary expense for the  
7 child or children incident to attendance in this state at an  
8 educational or training institution of college grade, or in a  
9 business or vocational training school with standards approved  
10 by the department. The commission shall not expend more than  
11 six hundred dollars per year for educational assistance for any  
12 one child under this paragraph "b".

13 Sec. 27. Section 70A.28, subsection 6, Code 2013, as amended  
14 by 2013 Iowa Acts, House File 185, section 28, is amended to  
15 read as follows:

16 6. Subsection 2 may also be enforced by an employee through  
17 an administrative action pursuant to the requirements of this  
18 subsection if the employee is not a merit system employee or  
19 an employee covered by a collective bargaining agreement. An  
20 employee eligible to pursue an administrative action pursuant  
21 to this subsection who is discharged, suspended, demoted,  
22 or otherwise receives a reduction in pay and who believes  
23 the adverse employment action was taken as a result of the  
24 employee's disclosure of information that was authorized  
25 pursuant to subsection 2, may file an appeal of the adverse  
26 employment action with the public employment relations  
27 board within thirty calendar days following the later of the  
28 effective date of the action or the date a finding is issued  
29 to the employee by the office of the ombudsman pursuant to  
30 section 2C.11A. The findings issued by the ombudsman may be  
31 introduced as evidence before the public employment relations  
32 board. The employee has the right to a hearing closed to the  
33 public, but may request a public hearing. The hearing shall  
34 otherwise be conducted in accordance with the rules of the  
35 public employment relations board and the Iowa administrative

1 procedure Act, chapter 17A. If the public employment relations  
2 board finds that the action taken in regard to the employee was  
3 in violation of subsection 2, the employee may be reinstated  
4 without loss of pay or benefits for the elapsed period, or the  
5 public employment relations board may provide other appropriate  
6 remedies. Decisions by the public employment relations board  
7 constitute final agency action.

8 Sec. 28. Section 126.11, subsection 3, paragraph b, Code  
9 2013, as amended by 2013 Iowa Acts, House File 417, section 26,  
10 is amended to read as follows:

11 b. A drug dispensed by filling or refilling a written,  
12 electronic, facsimile, or oral prescription of a practitioner  
13 licensed by law to administer the drug is exempt from section  
14 126.10, except section 126.10, subsection 1, paragraph "a",  
15 section 126.10, subsection 1, paragraph "i", subparagraphs  
16 (2) and (3), and section 126.10, subsection 1, paragraphs "k"  
17 and "l", and the packaging requirements of section 126.10,  
18 subsection 1, paragraphs "g", "h", and "p", if the drug bears  
19 a label containing the name and address of the dispenser, the  
20 date of the prescription or of its filling, the name of the  
21 prescriber, and, if stated in the prescription, the name of the  
22 patient, and the directions for use and cautionary statements,  
23 if any, contained in the prescription. This exemption does not  
24 apply to a drug dispensed in the course of the conduct of the  
25 business of dispensing drugs pursuant to diagnosis by mail,  
26 or to a drug dispensed in violation of paragraph "a" of this  
27 subsection.

28 Sec. 29. Section 249A.43, subsection 3, as enacted by 2013  
29 Iowa Acts, Senate File 357, section 7, is amended to read as  
30 follows:

31 3. An affidavit of service of a notice of entry of judgment  
32 shall be made by first class mail at the address where the  
33 debtor was served with the notice of overpayment. Service  
34 is completed upon mailing as specified in this ~~paragraph~~  
35 subsection.

1     Sec. 30. Section 252D.17, subsection 1, paragraph m, as  
2 enacted by 2013 Iowa Acts, House File 417, section 55, Code  
3 2013, is amended to read as follows:

4     ~~m-~~ 2. The department shall establish criteria and a  
5 phased-in schedule to require, no later than June 30, 2015,  
6 payors of income to electronically transmit the amounts  
7 withheld under an income withholding order. The department  
8 shall assist payors of income in complying with the required  
9 electronic transmission, and shall adopt rules setting forth  
10 procedures for use in electronic transmission of funds, and  
11 exemption from use of electronic transmission taking into  
12 consideration any undue hardship electronic transmission  
13 creates for payors of income.

14     Sec. 31. Section 263B.3, Code 2013, as amended by 2013  
15 Iowa Acts, House File 417, section 63, is amended to read as  
16 follows:

17     **263B.3 Agreements with federal departments.**

18     The state archaeologist is authorized to enter into  
19 agreements and cooperative efforts with the federal highway  
20 administrator, the United States departments of commerce,  
21 interior, agriculture, and defense, and any other federal or  
22 state agencies concerned with archaeological salvage or the  
23 preservation of antiquities.

24     Sec. 32. Section 321.463, subsection 12A, paragraphs a and  
25 c, as enacted by 2013 Iowa Acts, House File 14, section 1, are  
26 amended to read as follows:

27     a. A person operating a vehicle or combination of vehicles  
28 equipped with a retractable axle may raise the axle when  
29 necessary to negotiate a turn, provided that the retractable  
30 axle is lowered within one thousand feet following completion  
31 of the turn. This paragraph does not apply to a vehicle or  
32 combination of vehicles operated on an interstate highway,  
33 including a ramp to or from an interstate highway, or on a  
34 bridge.

35     c. This subsection does not prohibit the operation of a

1 vehicle or combination of vehicles equipped with a retractable  
2 axle ~~from operating~~ with the retractable axle raised when the  
3 vehicle or combination of vehicles is in compliance with the  
4 weight limitations of this section with the retractable axle  
5 raised.

6 Sec. 33. Section 327F.39, subsection 6, paragraph b, if  
7 enacted by 2013 Iowa Acts, Senate File 340, section 4, is  
8 amended to read as follows:

9 b. A violation of subsection 4A or rules adopted pursuant to  
10 subsection 4A by a railroad worker transportation company or a  
11 railroad ~~corporation~~ company is punishable as a schedule "one"  
12 penalty under section 327C.5.

13 Sec. 34. Section 418.5, subsection 1, Code 2013, as amended  
14 by 2013 Iowa Acts, House File 307, section 51, is amended to  
15 read as follows:

16 1. The flood mitigation board is established consisting of  
17 nine voting members and four ex officio, nonvoting members,  
18 and is located for administrative purposes within the ~~division~~  
19 department. The director of the department shall provide  
20 office space, staff assistance, and necessary supplies and  
21 equipment for the board. The director shall budget funds to  
22 pay the necessary expenses of the board. In performing its  
23 functions, the board is performing a public function on behalf  
24 of the state and is a public instrumentality of the state.

25 Sec. 35. Section 426A.11, subsection 1, Code 2013, as  
26 amended by 2013 Iowa Acts, House File 417, section 97, is  
27 amended to read as follows:

28 1. The property, not to exceed two thousand seven hundred  
29 seventy-eight dollars in taxable value of any veteran, as  
30 defined in section 35.1, of the World War I.

31 Sec. 36. Section 455B.275, subsection 3A, paragraphs a and  
32 b, if enacted by 2013 Iowa Acts, House File 541, section 1, are  
33 amended to read as follows:

34 a. The person reconstructing the dam is only required to  
35 possess the flooding easements or ownership which were was

1 held prior to the reconstruction as long as the former normal  
2 pool elevation is not exceeded and the spillway capacity is  
3 increased by at least fifty percent.

4 *b.* Flooding easements or ownership ~~are~~ is only required to  
5 the top of the reconstructed spillway elevation.

6 Sec. 37. Section 490.863, subsection 3, paragraph a, as  
7 enacted by 2013 Iowa Acts, House File 469, section 43, is  
8 amended to read as follows:

9 *a.* "*Holder*" means and "*held by*" refers to shares held by  
10 both a record shareholder, as defined in section 490.1301,  
11 subsection 7, and a beneficial shareholder, as defined in  
12 section 490.1301, subsection 2.

13 Sec. 38. Section 490.1302, subsection 2, paragraph d, Code  
14 2013, as amended by 2013 Iowa Acts, House File 469, section 53,  
15 is amended to read as follows:

16 *d.* Paragraph "*a*", shall not be applicable and appraisal  
17 rights shall be available pursuant to subsection 1 for the  
18 holders of any class or series of shares where the corporate  
19 action is an interested transaction.

20 Sec. 39. Section 522.6, subsection 2, if enacted by 2013  
21 Iowa Acts, Senate File 189, section 6, is amended to read as  
22 follows:

23 2. If an insurer qualifies for exemption from the  
24 requirements of this chapter pursuant to paragraph "*a*" of  
25 subsection 1, but the insurance group of which the insurer is  
26 a member does not qualify for exemption pursuant to paragraph  
27 "*b*" of subsection 1, then the own risk and solvency assessment  
28 summary report that is required pursuant to section ~~521H.5~~  
29 522.5 shall include information concerning every insurer  
30 in the insurance group. This requirement may be satisfied  
31 by the submission of more than one summary report for any  
32 combination of insurers in the insurance group provided that  
33 the combination of reports submitted includes every insurer in  
34 the insurance group.

35 Sec. 40. Section 533.405, subsection 4A, paragraph b,

1 subparagraphs (1) and (2), as enacted by 2013 Iowa Acts, Senate  
2 File 183, section 8, are amended to read as follows:

3 (1) State credit unions with assets in excess of \$5 five  
4 million dollars as of the month ending immediately prior to the  
5 date of the conclusion of the vote by the membership approving  
6 the dissolution shall publish the notice once a week for two  
7 successive weeks in a newspaper of general circulation in each  
8 county in which the state credit union maintains an office or  
9 branch for the transaction of business.

10 (2) State credit unions with assets of \$5 five million  
11 dollars or less as of the month ending immediately prior to the  
12 date of the conclusion of the vote by the membership approving  
13 the dissolution shall publish the notice once in a newspaper of  
14 general circulation in each county in which the state credit  
15 union maintains an office or branch.

16 Sec. 41. Section 543C.2, subsection 1, paragraph j, if  
17 enacted by 2013 Iowa Acts, House File 556, section 167, is  
18 amended to read as follows:

19 *j.* The subdivider, if a corporation, must register to do  
20 business in the state of Iowa as a foreign corporation with  
21 the secretary of state and furnish a copy of the certificate  
22 of authority to do business in the state of Iowa. If not a  
23 corporation, the subdivider must comply with the provisions  
24 of chapter 547, by filing a proper trade name with the Polk  
25 county recorder. The provisions of this subsection paragraph  
26 shall also apply to any person, partnership, firm, company,  
27 corporation, or association, other than the subdivider, which  
28 is engaged by or through the subdivider for the purpose of  
29 advertising or selling the land involved in the filing.

30 Sec. 42. Section 556.2, subsection 5, paragraph a,  
31 unnumbered paragraph 1, as enacted by 2013 Iowa Acts, House  
32 File 417, section 174, is amended to read as follows:

33 A banking organization or financial organization shall send  
34 to the owner of each account, to which none of the actions  
35 specified in subsection 2 1, paragraphs "a" through "e" or

1 subsection 2, paragraphs "a" through "e" have occurred during  
2 the preceding three calendar years, a notice by certified mail  
3 stating in substance the following:

4 Sec. 43. Section 716.7, subsection 1, as amended by 2013  
5 Iowa Acts, House File 556, section 234, if enacted, is amended  
6 to read as follows:

7 1. For purposes of this section:

8 a. "Property" shall include any land, dwelling, building,  
9 conveyance, vehicle, or other temporary or permanent structure  
10 whether publicly or privately owned.

11 b. "Public utility" is a public utility as defined in  
12 section 476.1 or an electric transmission line as provided in  
13 chapter 478.

14 ~~b. c. "Public utility property" means any land, dwelling,~~  
15 ~~building, conveyance, vehicle, or other temporary or permanent~~  
16 ~~structure owned, leased, or operated by a public utility and~~  
17 ~~that is completely enclosed by a physical barrier of any kind.~~  
18 ~~For the purposes of this section, a "public utility" is a public~~  
19 ~~utility as defined in section 476.1 or an electric transmission~~  
20 ~~line as provided in chapter 478.~~

21 ~~e. d. "Railway corporation" means a corporation, company,~~  
22 ~~or person owning, leasing, or operating any railroad in whole~~  
23 ~~or in part within this state.~~

24 ~~d. e. "Railway property" means all tangible real and~~  
25 ~~personal property owned, leased, or operated by a railway~~  
26 ~~corporation with the exception of any administrative building~~  
27 ~~or offices of the railway corporation.~~

28 Sec. 44. Section 724.2, subsection 1, paragraph i, if  
29 enacted by 2013 Iowa Acts, House File 556, section 206, is  
30 amended to read as follows:

31 i. A nonresident who possesses an offensive weapon which  
32 is a curio or relic firearm under the federal Firearms Act,  
33 18 U.S.C. ch. 44, solely for use in official functions in  
34 this state of a historical reenactment organization of which  
35 the person is a member, if the offensive weapon is legally

1 possessed by the person in the person's state of residence  
2 and the offensive weapon is at all times while in this state  
3 rendered incapable of firing live ammunition. A nonresident  
4 who possesses an offensive weapon under this ~~subsection~~  
5 paragraph while in this state shall not have in the person's  
6 possession live ammunition. The offensive weapon may, however,  
7 be adapted for the firing of blank ammunition.

8 Sec. 45. REPEAL. 2013 Iowa Acts, House File 417, section  
9 34, and 2013 Iowa Acts, House File 556, section 27, if enacted,  
10 are repealed.

11 Sec. 46. REPEAL. 2013 Iowa Acts, House File 469, sections  
12 83 and 84, are repealed.

13 Sec. 47. CONTINGENT REPEAL. If 2013 Iowa Acts, House File  
14 575, section 12, is enacted, 2013 Iowa Acts, House File 417,  
15 section 93, is repealed.

16 DIVISION IV

17 PUBLIC RETIREMENT SYSTEMS

18 Sec. 48. JUDICIAL RETIREMENT FUND. There is appropriated  
19 from the general fund of the state to the judicial retirement  
20 fund described in section 602.9104 for the following fiscal  
21 years, the following amounts:

- 22 1. FY 2013-2014
- 23 ..... \$ 5,000,000
- 24 2. FY 2014-2015
- 25 ..... \$ 5,000,000

26 Sec. 49. FIRE AND POLICE RETIREMENT FUND. There is  
27 appropriated from the general fund of the state to the fire  
28 and police retirement fund created in section 411.8 for the  
29 following fiscal years, the following amounts:

- 30 1. FY 2013-2014
- 31 ..... \$ 5,000,000
- 32 2. FY 2014-2015
- 33 ..... \$ 5,000,000

34 Sec. 50. Section 97A.11A, subsection 1, Code 2013, is  
35 amended to read as follows:

1 1. Beginning with the fiscal year commencing July 1, ~~2013~~  
2 2012, and ending June 30 of the fiscal year during which the  
3 board determines that the system's funded ratio of assets  
4 to liabilities is at least eighty-five percent, there is  
5 appropriated from the general fund of the state for each fiscal  
6 year to the retirement fund described in section 97A.8, an  
7 amount equal to five million dollars.

8 Sec. 51. EFFECTIVE UPON ENACTMENT. The section of this  
9 division of this Act amending section 97A.11A, being deemed of  
10 immediate importance, takes effect upon enactment.

11 DIVISION V

12 COUNTY PROJECTS

13 Sec. 52. Section 331.441, subsection 2, paragraph b,  
14 subparagraph (5), unnumbered paragraph 1, Code 2013, is amended  
15 to read as follows:

16 Public buildings, including the site or grounds of, and the  
17 erection, equipment, remodeling, or reconstruction of, and  
18 additions or extensions to the buildings, and including the  
19 provision and maintenance of juvenile detention or shelter care  
20 facilities, when the ~~cost~~ principal amount of the bonds does  
21 not exceed the following limits:

22 Sec. 53. Section 331.441, subsection 2, paragraph c,  
23 subparagraph (9), Code 2013, is amended to read as follows:

24 (9) Public buildings, including the site or grounds of,  
25 the erection, equipment, remodeling, or reconstruction of, and  
26 additions or extensions to the buildings, and including the  
27 provision and maintenance of juvenile detention or shelter care  
28 facilities, when the ~~cost~~ principal amount of the bonds exceeds  
29 the limits stated in subsection 2, paragraph "b", subparagraph  
30 (5), subparagraph division (a) or (b), as applicable.

31 DIVISION VI

32 SUPPLEMENTARY WEIGHTING FOR LIMITED ENGLISH

33 PROFICIENT STUDENTS

34 Sec. 54. Section 257.31, subsection 5, paragraph j, Code  
35 2013, is amended to read as follows:

1     *j.* Unusual need to continue providing a program or other  
2 special assistance to non-English speaking pupils after the  
3 expiration of the ~~four-year~~ seven-year period specified in  
4 section 280.4.

5     Sec. 55. Section 280.4, subsection 3, Code 2013, is amended  
6 to read as follows:

7     3. *a.* In order to provide funds for the excess costs of  
8 instruction of limited English proficient students specified  
9 in paragraph "b" above the costs of instruction of pupils in  
10 a regular curriculum, students identified as limited English  
11 proficient shall be assigned an additional weighting of  
12 twenty-two hundredths, and that weighting shall be included in  
13 the weighted enrollment of the school district of residence for  
14 a period not exceeding ~~four~~ seven years. However, the school  
15 budget review committee may grant supplemental aid or modified  
16 allowable growth to a school district to continue funding a  
17 program for students after the expiration of the ~~four-year~~  
18 seven-year period.

19     *b.* For students first determined to be limited English  
20 proficient for a budget year beginning on or after July 1,  
21 2009, the additional weighting provided under paragraph "a"  
22 shall be included in the weighted enrollment of the school  
23 district of residence for a period not exceeding seven years.

24     Sec. 56. LIMITED ENGLISH PROFICIENT WEIGHTING  
25 ADJUSTMENT. For the fiscal year beginning July 1, 2013,  
26 and ending June 30, 2014, there shall be allocated to the  
27 department of education from the amount appropriated pursuant  
28 to section 257.16, subsection 1, based upon the increase from  
29 four to seven years in the availability of supplementary  
30 weighting for instruction of limited English proficient  
31 students pursuant to section 280.4, an amount to be determined  
32 by the department of management in consultation with the  
33 legislative services agency. The funds shall be used to adjust  
34 the weighted enrollment of a school district with students  
35 identified as limited English proficient on a prorated basis.



1 The center for congenital and inherited disorders advisory  
2 committee shall make recommendations regarding implementation  
3 of the screening and the center for congenital and inherited  
4 disorders shall adopt rules as necessary to implement the  
5 screening. However, reporting of the results of each newborn's  
6 critical congenital heart disease screening shall not be  
7 required unless funding is available for implementation of the  
8 reporting requirement.

9

DIVISION VIII

10

RIGHT TO CURE — CLOSED CREDIT CARD ACCOUNTS

11

Sec. 60. Section 537.5110, subsection 4, paragraph c, Code  
12 2013, is amended to read as follows:

13

c. Until the expiration of the minimum applicable period  
14 after the notice is given, the consumer may cure the default by  
15 tendering either the amount of all unpaid installments due at  
16 the time of the tender, without acceleration, plus any unpaid  
17 delinquency or deferral charges, or the amount stated in the  
18 notice of right to cure, whichever is less, or by tendering any  
19 performance necessary to cure any default other than nonpayment  
20 of amounts due, which is described in the notice of right to  
21 cure. The act of curing a default restores to the consumer  
22 the consumer's rights under the agreement as though no default  
23 had occurred, except as provided in subsection 3. However,  
24 where the obligation in default is a credit card account that  
25 has been closed, the act of curing a default does not restore  
26 to the consumer the consumer's rights under the agreement as  
27 though no default had occurred.

28

Sec. 61. Section 537.5111, Code 2013, is amended by adding  
29 the following new subsection:

30

NEW SUBSECTION. 4A. If the consumer credit transaction is  
31 a credit card account that has been closed, the notice shall  
32 conform to the requirements of subsection 2, and a notice in  
33 substantially the form specified in that subsection complies  
34 with this subsection except that the statement relating to  
35 continuation of the contract upon correction of the default as

1 though the consumer did not default shall not be contained in  
2 the notice.

3 DIVISION IX

4 PUBLIC SAFETY TRAINING AND FACILITIES TASK FORCE

5 Sec. 62. PUBLIC SAFETY TRAINING AND FACILITIES TASK FORCE.

6 1. A public safety training and facilities task force is  
7 established. The department of public safety shall provide  
8 administrative support for the task force.

9 2. The task force shall consist of the following members:

10 a. One member appointed by the Iowa state sheriffs' and  
11 deputies' association.

12 b. One member appointed by the Iowa police chiefs  
13 association.

14 c. One member who is a fire fighter appointed by the Iowa  
15 professional fire fighters association.

16 d. One member who is the administrator of the Iowa fire  
17 service training bureau or the administrator's designee.

18 e. One member who is a representative of the fire service  
19 who is not a fire chief appointed by the Iowa firefighters  
20 association.

21 f. The director of the Iowa law enforcement academy or the  
22 director's designee.

23 g. The commissioner of public safety or the training  
24 coordinator of the department of public safety, as designated  
25 by the commissioner.

26 h. The state fire marshal or the state fire marshal's  
27 designee.

28 i. One member appointed by the Iowa state police  
29 association.

30 j. One member who is a fire chief appointed by the Iowa fire  
31 chiefs association.

32 k. One member appointed by the Iowa emergency medical  
33 services association.

34 l. One member appointed by the Iowa emergency management  
35 association.

1 m. One member who is a fire chief appointed by the Iowa  
2 association of professional fire chiefs.

3 n. One member who is a member of the office of motor vehicle  
4 enforcement of the department of transportation appointed by  
5 the director of the department of transportation.

6 o. Four members of the general assembly serving as  
7 ex officio, nonvoting members, one representative to be  
8 appointed by the speaker of the house of representatives, one  
9 representative to be appointed by the minority leader of the  
10 house of representatives, one senator to be appointed by the  
11 majority leader of the senate, and one senator to be appointed  
12 by the minority leader of the senate.

13 3. The voting members of the task force shall select one  
14 chairperson and one vice chairperson. The vice chairperson  
15 shall preside in the absence of the chairperson. Section  
16 69.16A shall apply to the appointed members of the task force.

17 4. It is the intent of the general assembly in establishing  
18 this task force that the task force develop a coordinated  
19 plan amongst all public safety disciplines that would oversee  
20 the construction of a consolidated fire and police public  
21 safety training facility, provide for the establishment of a  
22 governance board for the public safety disciplines and the  
23 consolidated facility, and to establish a consistent and steady  
24 funding mechanism to defray public safety training costs on an  
25 ongoing basis.

26 5. The task force shall seek and consider input from all  
27 interested stakeholders and members of the public and shall  
28 include an emphasis on receiving input from fire service, law  
29 enforcement, and emergency medical services personnel. The  
30 task force shall consider and develop strategies relating to  
31 public safety training facility governance with the goal of  
32 all public safety disciplines being represented. Each public  
33 safety discipline shall advise the task force by developing  
34 individual training policies as determined by the discipline's  
35 governing bodies. The task force shall also develop a proposal

1 for a joint public safety training facility, a budget for  
2 construction and future operation of the facility, financing  
3 options, including possible public-private partnerships, for  
4 construction and operation of the facility, and potential  
5 locations for the facility that are centrally located in this  
6 state.

7 6. a. The task force shall provide interim reports to the  
8 general assembly by December 31 of each year concerning the  
9 activities of the task force and shall submit its final report,  
10 including its findings and recommendations, to the general  
11 assembly by December 31, 2016.

12 b. The final report shall include but not be limited to  
13 recommendations concerning the following:

14 (1) Consolidation of public safety governance within a  
15 single board and the membership of the board. Board duties  
16 would include overseeing the construction and maintenance of a  
17 consolidated fire and police public safety training facility.

18 (2) Development of a consolidated fire and police public  
19 safety training facility, including possible locations,  
20 building recommendations, and financing options.

21 (3) Any other recommendations relating to public safety  
22 training and facilities requirements.

23 Sec. 63. PUBLIC SAFETY TRAINING AND FACILITIES TASK FORCE —  
24 ADMINISTRATIVE SUPPORT. There is appropriated from the general  
25 fund of the state to the department of public safety for the  
26 fiscal year beginning July 1, 2012, and ending June 30, 2013,  
27 the following amount, or so much thereof as is necessary, to be  
28 used for the purposes designated:

29 For providing administrative support for the public safety  
30 training and facilities task force as enacted in this Act:  
31 ..... \$ 50,000

32 Notwithstanding section 8.33, moneys appropriated in this  
33 section that remain unencumbered or unobligated at the close of  
34 the fiscal year shall not revert but shall remain available for  
35 expenditure for the purposes designated until the close of the

1 fiscal year that begins July 1, 2016.

2 Sec. 64. EFFECTIVE UPON ENACTMENT. This division of this  
3 Act, being deemed of immediate importance, takes effect upon  
4 enactment.

5 DIVISION X

6 CIGARETTE FIRE SAFETY STANDARD FUND

7 Sec. 65. Section 101B.5, subsection 5, Code 2013, is amended  
8 to read as follows:

9 5. For each cigarette listed in a certification, a  
10 manufacturer shall pay a fee of one hundred dollars to the  
11 department. The department shall deposit all fees received  
12 pursuant to this subsection with the treasurer of state for  
13 credit to the general fund of the state.

14 Sec. 66. Section 101B.8, Code 2013, is amended by adding the  
15 following new subsection:

16 NEW SUBSECTION. 10. The department shall deposit any moneys  
17 received from civil penalties assessed pursuant to this section  
18 with the treasurer of state for credit to the general fund of  
19 the state.

20 Sec. 67. Section 101B.9, Code 2013, is amended to read as  
21 follows:

22 **101B.9 Cigarette fire safety standard fund.**

23 A cigarette fire safety standard fund is created as a  
24 special fund in the state treasury under the control of the  
25 department of public safety. The fund shall consist of all  
26 moneys recovered from the assessment of civil penalties or  
27 certification fees under this chapter. ~~The moneys in the~~  
28 ~~fund shall, in~~ In addition to any moneys made available for  
29 such purpose, ~~be available, subject to appropriation,~~ moneys  
30 in the fund are appropriated to the department of public  
31 safety for the purpose of fire safety and prevention programs,  
32 including for entry level fire fighter training, equipment, and  
33 operations.

34 Sec. 68. REPEAL. Section 101B.9, Code 2013, is repealed.

35 Sec. 69. CIGARETTE FIRE SAFETY STANDARD FUND.

1 Notwithstanding section 8.33, or any other provision of law  
2 to the contrary, the unencumbered or unobligated balance of  
3 the cigarette fire safety standard fund at the close of the  
4 fiscal year beginning July 1, 2012, shall not revert but shall  
5 remain available for expenditure for purposes of the regional  
6 emergency response training centers, on an equal basis, until  
7 the close of the succeeding fiscal year.

8 Sec. 70. EFFECTIVE UPON ENACTMENT. Except for the section  
9 of this division of this Act repealing section 101B.9 which  
10 shall take effect July 1, 2013, this division of this Act,  
11 being deemed of immediate importance, takes effect upon  
12 enactment.

13 Sec. 71. RETROACTIVE APPLICABILITY. The following  
14 provision or provisions of this division of this Act apply  
15 retroactively to July 1, 2007:

16 1. The section amending section 101B.9.

17 EXPLANATION

18 This bill is organized by divisions.

19 STANDING APPROPRIATIONS AND RELATED MATTERS. For the budget  
20 process applicable to FY 2014-2015, state agencies are required  
21 to submit estimates and other expenditure information as called  
22 for by the director of the department of management instead of  
23 the information required under Code section 8.23.

24 The bill limits standing appropriations for FY 2013-2014  
25 and FY 2014-2015 made for nonpublic school transportation  
26 and the enforcement of Code chapter 453D relating to tobacco  
27 product manufacturers.

28 The bill limits standing appropriations for FY 2014-2015  
29 made for operational support grants and community cultural  
30 grants, regional tourism marketing, and programs for at-risk  
31 children.

32 The bill limits the standing appropriation for paying  
33 instructional support state aid in Code section 257.20 to zero  
34 for FY 2013-2014 and FY 2014-2015.

35 The bill increases the standing limited appropriation to the

1 special olympics fund in Code section 8.8 from \$50,000 each  
2 fiscal year to \$100,000 each fiscal year.

3 MISCELLANEOUS PROVISIONS AND APPROPRIATIONS. The bill  
4 appropriates moneys to the credit union division of the  
5 department of commerce for FY 2013-2014 for costs associated  
6 with the individual development account program.

7 The bill appropriates moneys to the department of workforce  
8 development for FY 2013-2014 and FY 2014-2015 to distribute to  
9 an entity with a mission of educating workers and the public in  
10 the various aspects of renewable energy, its usage, and related  
11 occupational opportunities.

12 The bill appropriates moneys to the department of  
13 transportation for FY 2012-2013 for distribution to the public  
14 transit systems in the state for purchasing vehicle priorities.  
15 The provision takes effect upon enactment.

16 The bill appropriates moneys to the department of  
17 transportation for FY 2013-2014 for costs associated with the  
18 operation of a contract air traffic control tower which holds  
19 an air agency certificate. Moneys shall be distributed on  
20 a local match basis to the largest city in a county with a  
21 population of more than 92,000 and less than 95,000.

22 The bill provides that whenever the population of any city  
23 is referred to in any law, it shall be determined by the  
24 greater of the population of the city as of the last preceding  
25 certified federal census or as of the April 1, 2010, population  
26 estimates base as determined by the United States census  
27 bureau, unless otherwise provided.

28 The bill prohibits a contractor who is not registered with  
29 the labor commissioner as required under Code chapter 91C from  
30 being awarded a contract to perform work for the state, an  
31 agency of the state, or a political subdivision of the state.  
32 Currently, such a contractor is only prohibited from being  
33 awarded contracts to perform work for the state or an agency  
34 of the state.

35 Currently, under Code section 99F.11, a portion of certain

1 wagering tax adjusted gross receipts are credited to the  
2 general fund of the state for the purpose of funding endow  
3 Iowa tax credits. If enacted, 2013 Iowa Acts, Senate File 300  
4 would eliminate this distribution. The bill provides that  
5 the same moneys would instead be appropriated to the economic  
6 development authority for distribution equally to the three  
7 state tourism regions to develop public-private partnerships to  
8 market local attractions. The provision only takes effect if  
9 2013 Iowa Acts, Senate File 300 is enacted.

10 Code section 144.26, relating to death certificates, is  
11 amended to provide that upon activation of an electronic death  
12 record system, each person with a duty related to a death  
13 certificate is required to participate in the electronic death  
14 record system.

15 The bill amends the Iowa grant program under Code section  
16 261.93 to include priority in awarding grants to a qualified  
17 student who meets certain qualifications and is a child of  
18 police officer included under Code section 97B.49B, who was  
19 killed in the line of duty as determined by the Iowa public  
20 employees' retirement system.

21 CORRECTIVE PROVISIONS. Code sections 2.12, 2.42, 2C.3,  
22 2C.9, 2C.11, 23A.4, and 70A.28, as amended by 2013 Iowa Acts,  
23 House File 185, sections 1, 2, 4, 10, 12, 20, 27, and 28, are  
24 amended to consistently refer to the office of ombudsman rather  
25 than to the office of the ombudsman. The office of citizens'  
26 aide is newly named the office of ombudsman in Code section  
27 2C.2, as amended by 2013 Iowa Acts, House File 185, section 3.

28 Code section 2C.18, as amended by 2013 Iowa Acts, House  
29 File 185, section 20, is amended to use the possessive form of  
30 ombudsman in the phrase "ombudsman's functions".

31 Code section 8B.21(5)(e), if enacted by 2013 Iowa Acts,  
32 Senate File 396, is amended to replace a singular verb with  
33 its plural form to match the plural subject in this provision  
34 relating to the receipt of information technology services by  
35 the department of public defense.

1 Code section 29.1, as amended by 2013 Iowa Acts, House  
2 File 307, section 9, is amended to correct a grammatical  
3 construction in a provision relating to the adjutant general's  
4 legal authority concerning the state's military forces.

5 Code section 35A.13(6A)(b)(1), if enacted by 2013 Iowa Acts,  
6 House File 613, section 2, is amended to correct an internal  
7 reference to a lettered paragraph to correspond to another  
8 reference in the same lettered paragraph in this provision  
9 relating to educational assistance for children of veterans.

10 Code section 126.11(3)(b), as amended by 2013 Iowa  
11 Acts, House File 417, section 26, is amended to correct a  
12 missing Code subsection reference in a provision relating to  
13 prescription drug labeling.

14 Code section 249A.43(3), as enacted by 2013 Iowa Acts,  
15 Senate File 357, section 7, is amended to correct an internal  
16 Code section subunit reference in a provision relating  
17 to medical assistance overpayment notices and first class  
18 mailings.

19 Code section 252D.17(1)(m), as enacted by 2013 Iowa  
20 Acts, House File 417, section 55, is amended to renumber  
21 the paragraph as a subsection in a provision relating to  
22 withholding of child support moneys from an obligor's income.  
23 The renumbering distinguishes this provision relating to  
24 departmental duties from the paragraphs of subsection 1 which  
25 relate to payor responsibilities.

26 Code section 263B.3, as amended by 2013 Iowa Acts, House File  
27 417, section 63, is amended to correct a verb phrase relating  
28 to the state archaeologist's authority to enter into agreements  
29 with the federal highway administrator.

30 Code section 321.463(12A)(a,c), as enacted by 2013 Iowa  
31 Acts, House File 14, section 1, are amended to correctly refer  
32 to a person operating a vehicle and to make a grammatical  
33 correction by eliminating the redundant words "from operating"  
34 in a provision relating to vehicles with retractable axles.

35 Code section 327F.39(6)(b), if enacted by 2013 Iowa Acts,

1 Senate File 340, section 4, is amended by referring to a  
2 railroad company rather than to a railroad corporation for  
3 consistency within this Code section relating to transportation  
4 of railroad workers.

5 Code section 418.5(1), as amended by 2013 Iowa Acts, House  
6 File 307, section 51, is amended to correctly refer to the  
7 department of homeland security and emergency management in  
8 this provision referring to the newly created department and  
9 the flood mitigation board attached to the department.

10 Code section 426A.11(1), as amended by 2013 Iowa Acts,  
11 House File 417, section 97, is amended to correctly refer to  
12 World War I in a provision relating to property tax exemptions  
13 applicable to veterans.

14 Code section 455B.275(3A)(a,b), if enacted by 2013 Iowa  
15 Acts, House File 541, section 1, are amended to replace two  
16 plural verbs with their singular forms to match the singular  
17 subjects in this provision relating to dam reconstruction  
18 standards.

19 Code section 490.863(3)(a), as enacted by 2013 Iowa Acts,  
20 House File 469, section 43, is amended to correctly include the  
21 word "section" before a numerical reference to a Code section  
22 in a provision relating to business corporation shareholders'  
23 conflicts of interest.

24 Code section 490.1302(2)(d), as amended by 2013 Iowa Acts,  
25 House File 469, section 53, is amended to delete an extraneous  
26 comma in a provision relating to business corporation  
27 shareholders' appraisal rights.

28 Code section 522.6(2), if enacted by 2013 Iowa Acts,  
29 Senate File 189, section 6, is amended to correct an internal  
30 reference by substituting section 522.5 for the nonexistent  
31 section 521H.5 in a provision relating to insurer risk  
32 management frameworks.

33 Code section 533.405(4A)(b)(1,2), as enacted by 2013  
34 Iowa Acts, Senate File 183, section 8, are amended to use  
35 words rather than numerals when referring to \$5 million in a

1 provision relating to state credit union assets.

2 Code sections 543C.2(1)(j) and 724.2(1)(i), as enacted by  
3 2013 Iowa Acts, House File 556, sections 167 and 206, are  
4 amended to correct internal self-references in former Code  
5 subsections that have been redesignated as paragraphs in  
6 provisions relating to the subdivision of lands by business  
7 entities and possession of curio or relic firearms.

8 Code section 556.2(5)(a)(ul), as enacted by 2013 Iowa Acts,  
9 House File 417, section 174, is amended to correct an internal  
10 reference to another subsection in the same Code provision  
11 relating to notices to financial institution account owners of  
12 unclaimed property.

13 Code section 716.7(1), as amended by 2013 Iowa Acts, House  
14 File 556, section 234, if enacted, is amended to place the  
15 definition of "public utility" in alphabetical order to reflect  
16 the remainder of the alphabetized definitions in this Code  
17 section relating to the crime of trespass.

18 2013 Iowa Acts, House File 417, section 34, and 2013  
19 Iowa Acts, House File 556, section 27, if enacted, the Code  
20 corrections bills, which amend Code section 135C.6(8)(c)(ul),  
21 are repealed to avoid a conflict with a substantive change  
22 made by 2013 Iowa Acts, Senate File 351, section 1, that  
23 accomplishes the same purpose of correctly referring to certain  
24 federally approved programs for persons with an intellectual  
25 disability.

26 2013 Iowa Acts, House File 469, sections 83 and 84, amend  
27 Code section 490.140 to retain the current definition of  
28 "public corporation", conditioned on the future repeal of that  
29 definition on December 31, 2014, by 2011 Iowa Acts, chapter  
30 2, section 9, which relates to the staggered terms of certain  
31 public corporation directors. However, 2013 Iowa Acts, House  
32 File 358, section 1, repeals 2011 Iowa Acts, chapter 2, section  
33 9, thereby striking the future repeal of the definition.  
34 Therefore, the extraordinary retention of that definition by  
35 2013 Iowa Acts, House File 469, sections 83 and 84, is no

1 longer necessary, and those sections are repealed.

2 Both 2013 Iowa Acts, House File 575, section 12, which  
3 relates to sales and use tax technical amendments, and House  
4 File 417, section 93, the nonsubstantive Code corrections  
5 bill, amend Code section 423.3(18)(c), to correctly refer to  
6 the council on quality and leadership in a provision relating  
7 to a sales tax exemption applicable to certain accredited  
8 rehabilitation facilities. But because the two bills do so by  
9 striking different words in that paragraph, the amendment in  
10 the nonsubstantive Code corrections bill is repealed to avoid a  
11 codification conflict with the more technical tax bill.

12 PUBLIC RETIREMENT SYSTEMS. This division makes  
13 appropriations for several of the state's public retirement  
14 systems.

15 Code section 97A.11, making standing limited appropriations  
16 for the public safety peace officers' retirement system,  
17 is amended so that the standing appropriation begins in FY  
18 2012-2013 instead of FY 2013-2014. This provision takes effect  
19 upon enactment.

20 Appropriations are also made for FY 2013-2014 and FY  
21 2014-2015 to the judicial retirement system and the statewide  
22 fire and police retirement system established by Code chapter  
23 411.

24 COUNTY PROJECTS. The bill modifies the definition of  
25 "essential county purpose" in Code section 331.441, relating  
26 to general obligation bonds, to specify that public building  
27 projects meet the definition of "essential county purpose"  
28 if the principal amount of the bonds does not exceed certain  
29 threshold amounts based upon the population of the county.  
30 Current law specifies that a public building project meets the  
31 definition of an "essential county purpose" if the costs of the  
32 project do not exceed certain threshold amounts based upon the  
33 population of the county. The bill modifies the definition  
34 of "general county purpose" to specify that public building  
35 projects meet the definition of "general county purpose" if the

1 principal amount of the bonds exceeds certain threshold amounts  
2 based upon the population of the county. Current law specifies  
3 that a public building project meets the definition of "general  
4 county purpose" if the costs of the project exceed certain  
5 threshold amounts based upon the population of the county.

6 SUPPLEMENTARY WEIGHTING FOR LIMITED ENGLISH PROFICIENT  
7 STUDENTS. Current Code section 280.4 provides funds for the  
8 excess costs of instruction of limited English proficient  
9 students above the costs of instruction of pupils in a regular  
10 curriculum. This funding is provided for a period not to  
11 exceed four years through assignment of an additional weighting  
12 of 22 hundredths to each student identified as limited English  
13 proficient.

14 The bill increases the number of years for which a school  
15 district of residence may include the additional weighting  
16 for a student determined to be limited English proficient.  
17 Under the bill, for students first determined to be limited  
18 English proficient for a budget year beginning on or after July  
19 1, 2009, the additional weighting shall be included in the  
20 weighted enrollment of the school district of residence for a  
21 period not exceeding seven years.

22 The bill allocates a certain amount of the appropriation  
23 under Code section 257.16 for the fiscal year beginning July 1,  
24 2013, to be used to adjust weighted enrollments of districts  
25 with limited English proficient students to account for the  
26 increase in years under the bill.

27 The division takes effect upon enactment.

28 NEWBORN CRITICAL CONGENITAL HEART DISEASE SCREENING. The  
29 bill relates to prenatal care including newborn screenings in  
30 new Code section 136A.5A. The bill requires each newborn born  
31 in the state to receive a critical congenital heart disease  
32 screening by pulse oximetry or other means as determined by  
33 rule, in conjunction with the metabolic screening already  
34 required. The bill directs that an attending health care  
35 provider shall ensure that every newborn under the provider's

1 care receives the critical congenital heart disease screening,  
2 and provides that that requirement does not apply if a parent  
3 objects to the screening. If a parent objects, the health care  
4 provider is required to document the refusal in the newborn's  
5 medical record, obtain a written refusal from the parent, and  
6 report the refusal to the department of public health (DPH).  
7 The results of each newborn's screening are required only to  
8 be reported in a manner consistent with the reporting of the  
9 results of metabolic screenings if funding is available for  
10 implementation of the reporting requirement. The provisions  
11 are to be administered in accordance with rules adopted by the  
12 center for congenital and inherited disorders, with assistance  
13 provided by DPH.

14 The bill directs that the critical congenital heart disease  
15 screening shall be included in the state's newborn screening  
16 panel. The bill requires the center for congenital and  
17 inherited disorders advisory committee to make recommendations  
18 regarding implementation of the screening and the center for  
19 congenital and inherited disorders to adopt rules as necessary  
20 to implement the screening. However, reporting of the results  
21 of the screenings shall not be required unless funding is  
22 available.

23 RIGHT TO CURE — CLOSED CREDIT CARD ACCOUNTS. The bill  
24 relates to right to cure provisions under the consumer credit  
25 code in Code chapter 537 applicable to a credit card account  
26 that has been closed.

27 The bill states that provisions applicable to restoring  
28 a consumer's rights under an agreement after a default is  
29 cured as though no default had occurred do not apply to  
30 situations where the account in question is a closed credit  
31 card account. Similarly, the bill also states, with reference  
32 to the notice of right to cure sample form contained in Code  
33 section 537.5111, that a notice substantially complying with  
34 the form suffices for closed credit card accounts, except that  
35 a statement contained in the form relating to continuation

1 of the contract upon correction of the default as though the  
2 consumer did not default shall not be contained in the notice.

3 PUBLIC SAFETY TRAINING AND FACILITIES TASK FORCE. The  
4 bill establishes a public safety training and facilities  
5 task force to develop a coordinated plan amongst all public  
6 safety disciplines that would oversee the construction of a  
7 consolidated fire and police public safety training facility,  
8 provide for the establishment of a governance board for the  
9 public safety disciplines and the consolidated facility, and to  
10 establish a consistent and steady funding mechanism to defray  
11 public safety training costs on an ongoing basis.

12 The bill appropriates moneys to the department of public  
13 safety for FY 2012-2013 for providing administrative support  
14 to the task force.

15 The division takes effect upon enactment.

16 CIGARETTE FIRE SAFETY STANDARD FUND. The bill relates to  
17 moneys in the cigarette fire safety standard fund which is  
18 a special fund in the state treasury under the control of  
19 the department of safety. Currently, moneys in the fund are  
20 subject to appropriation. The bill eliminates the contingent  
21 appropriation language and appropriates all moneys in the fund  
22 to the department of public safety. This provision applies  
23 retroactively to July 1, 2007.

24 The bill eliminates the fund on July 1, 2013, allows any  
25 unencumbered or unobligated balance when the fund is eliminated  
26 to be retained by the department for purposes of the regional  
27 emergency response training centers, on an equal basis.

28 The division takes effect upon enactment.